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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/523,560	09/01/2005	Stefano Cevenini	331.1087	1194

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EXAMINER

IZAGUIRRE, ISMAEL

ART UNIT PAPER NUMBER

3765

DATE MAILED: 06/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

-88

Office Action Summary	Application No. 10/523,560	Applicant(s) CEVENINI ET AL.	
	Examiner Ismael Izaguirre	Art Unit 3765	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10-18 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 10-12, 14-16 and 18 is/are rejected.
- 7) ☒ Claim(s) 13 and 17 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2/1/05; 4/13/06</u> . | 6) <input type="checkbox"/> Other: ____. |

Art Unit: 3765

DETAILED ACTION

CLAIMS

Summary

Claim 10 is the independent claim under consideration in this Office Action.

Claims 11-18 are the dependent claims under consideration in this Office Action.

Claim Rejections - 35 U.S.C. § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 10 is rejected under 35 U.S.C. § 102(b) as being anticipated by Lehrman (4,956,928).

Lehrman teaches a heat resistant ironing board cover comprising a cover material 22 (figure 2, for example) and a padding material 21 located underneath the cover material. The cover material is placeable onto an ironing board 50 where it is form-fittingly connectable to the ironing board via the padding as the padding contacts the ironing board. Further, the padding includes a hook and loop fastener 18 thereon the underside (figure 3, for example) and the ironing board has a cooperating hook and loop fastener 14 on a top surface thereon. The padding with the hook and loop fastener being connected to the ironing board via the hook and loop fasteners.

Claim 10 is rejected under 35 U.S.C. § 102(b) as being anticipated by Musker (EPO 43,700).

Musker teaches a heat resistant (metallic) ironing board cover comprising a fabric layer and a layer of resilient foam. The cover and the foam have an adhesive for bonding to the ironing board. The cover material is placeable onto the ironing board where it is form-fittingly connectable to the ironing board via the padding.

Claims 10 and 14-16 are rejected under 35 U.S.C. § 102(b) as being anticipated by Brodt (2,026,961).

Brodt teaches a heat resistant ironing board cover comprising gingham cover material 13 (figure 4, for example) and a padding material 1 located underneath the cover material. The cover material is placeable onto an ironing board 50 where it is form-fittingly connectable to the ironing board via the padding as the padding contacts the ironing board. Further, the padding material follows the contour of the ironing board and is provided with a bulging peripheral edge (figure 4 or 5) where it wraps about the peripheral edge of the ironing board with the stiffening muslin and cover material and is connected the ironing board in one instance by snaps 7, 8 with studs passable in recesses in the underside or bottom of the ironing board, or in another instance snaps 17 (figure 8).

Claim Rejections - 35 U.S.C. § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the

Art Unit: 3765

subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 11 and 12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Lehrman in view of Eckhardt et al. (5,691,027).

Lehrman discloses the invention substantially as claimed. See above for specific explanations of the structural details of this document. Briefly, Lehrman teaches an ironing board cover including a cover material over a padding, which in turn is form-fittingly, connected to the ironing board. In between the padding and the top of the ironing board is placed cooperating hook and loop materials. However, Lehrman does not specifically suggest the hook and loop material as comprising backing fabrics of non-woven or fabric materials.

Eckhardt et al. teach a hook and loop fastener where the backing material, that is, the material that supports or forms the hooks and loops are formed of nonwoven or fabric (woven) materials (column 4, lines 18-51).

It would have been obvious to a person having ordinary skill in the art at the time of Applicant's invention to construct the hook and loop fasteners of Lehrman as including nonwoven or woven (fabric) material for supporting the hooks and the loops. Providing such a material would allow the low cost of the fasteners and a greater holding area per hook and loop count resulting in a better grip.

Claim 18 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Lehrman in view of Ruttenberg (4,360,984) and over Brodt in view of Ruttenberg.

Lehrman and Brodt, each on its own, discloses the invention substantially as claimed. See above for specific explanations of the structural details of these documents. Briefly, Lehrman and Brodt, each, teach an ironing board cover including a cover material over a padding, which in turn is form-fittingly, connected the ironing board. However, Lehrman nor Brodt, do not specifically suggest the pad of the ironing board cover as being .2 to .5 cm (which is .07 to 1.97 inches).

Ruttenberg teaches an ironing board cover comprising an ironing pad with a cover material and a padding material 13. Ruttenberg teaches the padding material as being .25 to .75 inches thick.

It would have been obvious to a person having ordinary skill in the art at the time of Applicant's invention to construct the padding of Lehrman and Brodt, each on its own, as including a padding material of such thickness. Providing such a range of pad thicknesses would allow the optimizing of the thickness by extend the life of the product by better cushioning the iron being placed thereon and not damaging the fibers in the garment being ironed from lack of cushioning.

DRAWINGS

The substitute drawing received on September 1, 2005 is acceptable. However, this is the only drawing submitted for the prosecution of this U.S. application. Applicant should submit a full set (copy) of drawings for the prosecution of this U.S. case as they appear in the PCT documents submitted. For the purposes of this Office action, the examiner has referred to the PCT set of drawings.

ALLOWABLE SUBJECT MATTER

Claims 13 and 17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

PERTINENT CITATIONS

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Pruden and Bonette illustrate ironing board covers with pads including fasteners or snap fasteners. Strobridge illustrates a pad including a non-woven edging. Wu illustrates an ironing board cover and pad attachable with Velcro to a support. Palmer illustrates an ironing board with a non-skid edging contacting the padding of the cover.

INQUIRIES

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ismael Izaguirre whose telephone number is (571) 272-4987. The examiner can normally be reached on M-F (8:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Calvert can be reached on (571) 272-4983. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3765

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Ismael Izaguirre
Primary Examiner
Art Unit 3765